

Approved, SCAO

Original - Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

CASE NO.

STATE OF MICHIGAN
JUDICIAL DISTRICT
17th JUDICIAL CIRCUIT
COUNTY PROBATE

SUMMONS

20-

0119D

-NO

Court telephone no.
616-632-5220

Court address

180 Ottawa Avenue NW, Grand Rapids, MI 49503 PAUL J. DENENFELD

IP 3691

Plaintiff's name(s), address(es), and telephone no(s).

TIMOTHY FARE, as Next Friend
of GRACE FARE, a minor.
5662 Bethanne Dr.
Wyoming, MI 49418

Defendant's name(s), address(es), and telephone no(s).

TARGET CORPORATION,
a domestic profit corporation.
40600 ANN ARBOR RD E STE 201
PLYMOUTH, MI 48170

Plaintiff's attorney, bar no., address, and telephone no.

Tim P Seeger (P83315)
GREWAL LAW, PLLC
801 Broadway N.W. Ste. 302
Grand Rapids, MI 49504
(616) 259-8463.

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.

It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.

MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).

There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.

A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in this court,

Court, where

it was given case number _____ and assigned to Judge _____

The action remains is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. YOU HAVE 21 DAYS after receiving this summons and a copy of the complaint to file a written answer with the court and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issued date

Expiration date*

MAY 07 2020

Court clerk

LAW OFFICES OF DENENFELD, PC

*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

MC 01 (9/19) SUMMONS

MCR 1.109(D), MCR 2.102(B), MCR

EXHIBIT

tabbed

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR KENT COUNTY

**TIMOTHY FARE, as Next Friend
of GRACE FARE, a minor.**

Plaintiff,

COMPLAINT

File No. 20-01190 NO.
PAUL J. DENENFELD
HON. (P-36992)

TARGET CORPORATION,
a domestic profit corporation.

Defendant(s).

Tim P Seeger (P83315)
GREWAL LAW, PLLC
Attorney for Plaintiff
801 Broadway N.W. Ste. 302
Grand Rapids, MI 49504
(616) 259-8463

There is no other resolved or unresolved civil action
arising out of the transaction or occurrence alleged in
this complaint.

GENERAL ALLEGATIONS

NOW COMES Plaintiff Timothy Fare as Next Friend of Grace Fare, by and through their
attorneys, GREWAL LAW, PLLC, and for the General Allegations of their Complaint, states as
follows:

1. Plaintiff, at all times relevant herein, was a resident of the City of Wyoming, Kent County,
Michigan.
2. Defendant Target Corporation is a domestic profit corporation with a principle place of
business in Minneapolis, Minnesota, authorized to and doing business in Kent County,
Michigan with a registered agent located in Plymouth, MI

3. Defendant owns, operates and/or has control of the premises located at 5455 Clyde Park Ave. SW, Wyoming, MI 49509 ("Premises").
4. At the time of the incident which is the subject matter of this lawsuit, Plaintiff was a business invitee of Defendants and was present on the Premises.
5. The incident which is the subject matter of this lawsuit occurred in Kent County, Michigan.
6. The amount in controversy exceeds the sum of Twenty-Five Thousand (\$25,000.00) Dollars.

COUNT I – Negligence

7. Plaintiff incorporates the preceding paragraphs by reference as if fully set forth herein.
8. As the entity who owned, managed, operated and/or controlled the aforesaid Premises, Defendant had a duty to exercise ordinary care to keep said Premises in a reasonably safe condition for business invitees and to Plaintiff in particular.
9. On June 2, 2019, Plaintiff was lawfully on the Premises and was lawfully trying on a pair of girl's pants in the store's dressing room when she unexpectedly encountered a dirty hypodermic needle in the pants pocket.
10. As Plaintiff reached her hand into the pants pocket, she was poked by the dirty hypodermic needle on her hand and was stabbed and scratched by the needle on her leg.
11. Plaintiff's step-mother found her holding the dirty hypodermic needle with liquid dripping out of it.
12. As a result, Plaintiff was taken to the emergency room at Metro Health Southwest where she required blood work to test for possible diseases or infections she may have contracted as a result of being stabbed by the dirty needle.

13. Upon Plaintiff's casual inspection, the pants seemed safe to try on without any apparent dangers.
14. Plaintiff used due caution and ordinary care while trying on the pants.
15. At the time of the above stated incident, Plaintiff was a business invitee of Defendant, invited to enter and remain on the Premises for a commercial benefit to Defendant.
16. At the time of the incident, Defendant had not taken any appreciable action to remedy the danger posed by the dirty hypodermic needle.
17. At the time of the above stated incident, Defendant had not displayed any kind of warning device to indicate the existence of such an unreasonably dangerous condition.
18. Defendants had a duty to the public in general, and to Plaintiff in particular, on the Premises from unreasonable risks of physical harm.
19. Defendants knew, or in the exercise of ordinary care should have known, of the dangerous condition present on the Premises, specifically the unreasonably dangerous placement of a dirty hypodermic needle in the pocket of a pair of pants that were for sale to young girls.
20. Defendant knew or should have known that the condition of the Premises involved an unreasonable risk of harm to business invitees, including Plaintiff in particular.
21. The dangerous condition of the dirty hypodermic needle existed for a sufficient length of time that Defendant discovered the condition, or upon the exercise of due care, should have discovered the condition.
22. Defendant had a duty to take reasonable measures within a reasonable amount of time to reduce and/or diminish the hazard to persons lawfully on the premises.

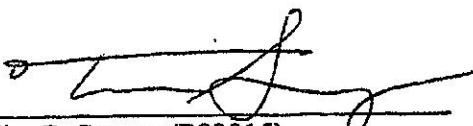
23. Upon information and belief, security footage shows that the dirty hypodermic needle was present in the pants pocket for a substantial period of time before Plaintiff was injured and, thus, Defendant had constructive knowledge of the needle yet failed to act.
24. Defendant had a duty to inspect the Premises for dangerous conditions which needed remediation, including the pockets of pants that were for sale and available for young girls to try on.
25. Defendants had a duty to warn all business invitees about any dangerous conditions on the Premises, including dirty hypodermic needles hidden in pants pockets.
26. Any negligence on the part of Defendant's employees, servants or agents is imputed to and becomes the negligence of Defendants through the doctrine of *respondeat superior*.
27. As the direct and proximate result of Defendant's negligence, Plaintiff was traumatized and now suffers from severe emotional distress and trypanophobia, a fear of needles.
28. Plaintiff is now increasingly and frequently emotional and suffers from paranoia over rudimentary activities of everyday life such as getting dressed or going shopping.
29. Plaintiff continues to suffer from her traumatization and requires psychological treatment from a therapist on a weekly basis.
30. As a result of this incident, Plaintiff's everyday life has been affected and it will continue to be affected into the unknown future.
31. As a result of this incident, Plaintiff's family has been emotionally and financially impacted.

WHEREFORE Plaintiff Timothy Fare as Next Friend of Grace Fare requests that this Honorable Court enter judgment in their favor for an amount in excess of \$25,000.00 to be determined at trial in this matter. Further, Plaintiffs make claim for any amount that they may be

entitled to, plus costs and interest and for whatever amount this Honorable Court may deem just and proper and the nature of this case may allow.

Respectfully Submitted,
GREWAL LAW, PLLC

Dated: January 31, 2020

By: 
Tim P. Seeger (P83315)
Attorney for Plaintiff

TPS/clb

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR KENT COUNTY

TIMOTHY FARE, as Next Friend
of **GRACE FARE**, a minor.

Plaintiff,

v

TARGET CORPORATION,
a domestic profit corporation.

Defendant(s).

Tim P Seeger (P83315)
GREWAL LAW, PLLC
Attorney for Plaintiff
801 Broadway N.W. Ste. 302
Grand Rapids, MI 49504
(616) 259-8463

JURY DEMAND

File No. 20-01190 -NO

PAUL J. DENENFELD
HON. (P-359821)

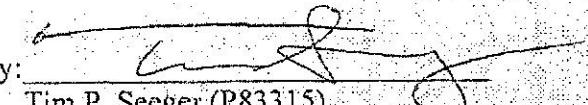
JURY DEMAND

NOW COMES Plaintiff Timothy Fare as Next Friend of Grace Fare by and through their attorneys, GREWAL LAW, PLLC, and demands trial by jury in reference to the above-entitled matter.

Respectfully Submitted,
GREWAL LAW, PLLC

Dated: January 31, 2020

TPS/clb

By: 
Tim P. Seeger (P83315)
Attorney for Plaintiff

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR KENT COUNTY

TIMOTHY FARE, as Next Friend
of **GRACE FARE**, a minor.

Plaintiff,

File No. 20-*01190*
PAUL J. DENENFEND
(P-36982)

TARGET CORPORATION,
a domestic profit corporation.

HON.

Defendant(s).

Tim P Seeger (P83315)
GREWAL LAW, PLLC
Attorney for Plaintiff
801 Broadway N.W. Ste. 302
Grand Rapids, MI 49504
(616) 259-8463

**MOTION FOR APPOINTMENT
OF NEXT FRIEND**

NOW COMES Timothy Fare, Petitioner herein, by and through his attorneys, GREWAL
LAW, PLLC, and in support of his motion pursuant to MCR 2.201(E) states as follows:

1. That Petitioner, Timothy Fare, is the father and legal guardian of Grace Fare, a minor, born on February 21, 2007, currently twelve (12) years of age.
2. That the minor child Grace Fare was injured on June 2, 2019 as a result of Defendant's negligence.
3. That by reason of the minor's age, MCR 2.201(E) requires that a Next Friend be appointed to represent the minor.

4. That Petitioner, who is a competent and reasonable person, consents to be appointed this minor Plaintiff's Next Friend to prosecute this action on her behalf.
5. That Petitioner acknowledges responsibility for costs of this action.

WHEREFORE Petitioner Timothy Fare respectfully requests that this Honorable Court appoint him as Next Friend of Grace Fare, the minor Plaintiff in this action, for the purpose of prosecuting this action.

Dated: 1-31-2020

Timothy Fare
Timothy Fare

STATE OF MICHIGAN)
) ss
COUNTY OF KENT)

Sworn to and signed in my presence by Timothy Fare, and sworn to and signed in my presence by on this 31st day of January, 2020.

Amy DeVries
_____, Notary Public
Ottawa County, Michigan
My Commission Expires: 3/27/2026
Acting in Kent County

